IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.5636 OF 2005

Shri Sudam Vitthal Ghayavat ..Applicant

Versus

The State of Maharashtra & Ors. ..Respondents

Shri Kiran N.Joshi for the applicant.

Mrs.S.D.Shinde APP for Respondent/State.

Coram : A.S.Oka,J

Date : 1.9.2005.

PC

1. This is an application for anticipatory bail by an accused against whom FIR is registered for offences punishable under Sections 467, 468, 471, 406, 409, 420, r/w 34 of IPC. The applicant was part of a team constituted for distribution of help to the affected persons in the recent floods. The allegation against the applicant and co-accused is that while distributing the amounts, it is found that panchanama was not made and receipts were not executed. The allegation is about tampering with the Government record. The allegation is that panchanamas were prepared by the applicant and co-accused while sitting in the office of a Municipal Councillor.

2. It is very well settled that the gravity of allegations and the need for custodial interrogation are only factors which are required to be considered for grant of anticipatory bail. In the present case, the allegations against the present applicant are of very serious nature and in my view, custodial interrogation is required as allegations are of mis-appropriation.

3. Application is, therefore, rejected.

(A.S.Oka,J)